

Minutes of the Regular Meeting of the

**STATE BOARD OF EDUCATION
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA**

August 23, 2018

The State Board of Education met in regular session at 9:34 a.m. on Thursday, August 23, 2018, in the Board Room of the Oliver Hodge Education Building at 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. The final agenda was posted at 9:15 a.m. on Wednesday, August 22, 2018.

The following were present:

Mr. Brad Clark, General Counsel
Ms. Terrie Cheadle, Chief Executive Secretary

Members of the State Board of Education present:

State Superintendent Joy Hofmeister, Chairperson of the Board
MG (R) Lee Baxter, Lawton
Mr. William "Bill" Flanagan, Claremore
Ms. Cathryn Franks, Roosevelt
Mr. Daniel Keating, Tulsa
Mr. Robert J. Ross, Oklahoma City
Mr. William "Bill" Price, Oklahoma City

Others in attendance are shown as an attachment.

**CALL TO ORDER
AND
ROLL CALL**

State Superintendent Joy Hofmeister called the State Board of Education regular meeting to order at 9:34 a.m. and welcomed everyone to the meeting. Ms. Cheadle called the roll and ascertained there was a quorum.

**PLEDGE OF ALLEGIANCE, OKLAHOMA
FLAG SALUTE, AND MOMENT OF SILENCE**

Superintendent Hofmeister led Board Members and all present in the Pledge of Allegiance to the American Flag, a salute to the Oklahoma Flag, and a moment of silence.

STATE SUPERINTENDENT

Information from the State Superintendent

Superintendent Hofmeister said 916 emergency certifications requests will be presented to the State Board for the month of August. The 2153 emergency requests for August, July and June reveals the full weight of the teacher shortage crisis warned about for over three years. Updates were provided on the Year 2-Individual Career Academic Planning (ICAP) Pilot Program and community involvement tools.

Employee Service Recognitions

Superintendent Hofmeister recognized State Department of Education employee Lou Anne Mullens, Program Manager, SoonerStart, Special Education Services for 35 years of service to the state of Oklahoma.

First-Year Superintendents

Superintendent Hofmeister introduced first-year superintendents attending the meeting that included: Rick Rogers, Shidler Public Schools; Melody Toma, Chandler Public Schools; and Mark Moring, Davis Public schools.

BOARD ADMINISTRATIVE

**July 26, 2018 Regular Meeting Minutes
of the State Board of Education - Approved**

Board member Baxter moved to approve the minutes of the July 26, 2018, regular meeting. Board member Franks seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, abstain; Mr. Ross, abstain; Mr. Price, yes; and Superintendent Hofmeister, yes.

PUBLIC COMMENT

Individuals signed up to address the Sovereign Community Charter School Appeal for charter school sponsorship included Dr. Amy Bergoseth, Edwin Butler-Wolfe, Governor, Absentee Shawnee Tribe; Jacob Tsotigh, National Indian Education Assoc.; James McSpadden, Oklahoma Public Charter School Assoc.; Dr. Cornel Pewewady, Comanche Nation; Quinton Roman Nose, TEDNA; Debbie Hartsell; and Sovereign Community Charter School representatives Phil Gower, Sarah Adams-Cornell, Blue Clark, Peggy Big Eagle, Devyn Denton, Jasha Lyons Echo-Hawk, and Chelsey Branham,

CONSENT DOCKET - Approved

Discussion and possible action on the following deregulation applications, statutory waivers, and exemptions for the 2018-2019 school year and other requests:

- (a) **Abbreviated School Day – OAC 210:35-29-2 and 210:35-3-46**
Checotah Public Schools, McIntosh County
Putnam City Public Schools, Oklahoma County
(SOAR Program)
Putnam City Public Schools, Oklahoma County
(Evening Program)
Inola Public Schools, Rogers County

3 Year Request
Beggs Public Schools, Okmulgee County
Wynona Public Schools, Osage County
- (b) **Cooperative Agreements for Alternative Education Programs – 70 O. S. § 1210.568**
Hydro-Eakly Public Schools, Caddo County
Noble Public Schools, Cleveland County
Carney Public Schools, Lincoln County

3 Year Request
Vici Public Schools, Dewey County
Wynona Public Schools, Osage County
Cheyenne Public Schools, Roger Mills County
- (c) **Library Media Services – OAC 210:35-5-71 and 210:35-9-71**
Hydro-Eakly Public Schools, Caddo County
Rush Springs Public Schools, Grady County
Dover Public Schools, Kingfisher County
Howe Public Schools, LeFlore County
Shady Point Public Schools, LeFlore County
Carney Public Schools, Lincoln County
Webbers Fall Public Schools, Muskogee County
Tecumseh Public Schools, Pottawatomie County
Bartlesville Public Schools, Washington County

3 Year Request

Mannford Public Schools, Creek County
Ryan Public Schools, Jefferson County
Adair Public Schools, Mayes County
Graham-Dustin Public Schools, Okfuskee County
Wynona Public Schools, Osage County
Bethel Public Schools, Pottawatomie County
Cheyenne Public Schools, Roger Mills County
Mooreland Public Schools, Woodward County

- (d) **Library Media Specialist – 70 O. S. § 3-126**
Hilldale Public Schools, Muskogee County
- (e) Request approval on exceptions to State Board of Education teacher certification regulations to permit issuance of emergency (provisional) certificates –**70 O. S. § 6-187**

Board member Price moved to approve the Consent Docket. Board member Ross seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister advised she would recess the meeting after Agenda item 7 and afterwards proceed to Agenda item 8.

Board member Baxter called a “Point of Order” for Agenda item 8, asking at what point (before, during or after) the board could interact in terms of questions.

Brad Clark, General Counsel, recommended holding questions until the end given that 20 minutes was agreed upon for each attorney.

FINANCIAL SERVICES

Fy2019 Shared Superintendent Salary Assistance Application Reports - Approved

Matt Holder, Deputy Superintendent, Federal Programs & Finance, presented five shared superintendent salary assistance application requests. School districts provided required local board approved mutual contracts and requests for fifty percent (50%) salary or wage assistance not to exceed three (3) consecutive years or no more than \$150,000. Qualified applicants will receive quarterly School Consolidation Assistance funding.

(Board member Baxter stepped out at 11:00 a.m. and returned at 11:04 a.m.)

Board member Price motion to approve the requests and Board member Ross seconded the motion. The motion carried with the following votes: General Baxter, absent; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes and Superintendent Hofmeister, yes.

**School District Request for Payment of Late Joint Federal Program Claims
Title I, II, V; Special Education - Approved**

Mr. Holder presented late expenditure reports reimbursement requests of Title I, II, V and Special Education federal program claims. Required “good cause” letters of explanation were provided by Santa Fe South, Terral, Frink-Chambers, Claremore, Durant, Poteau, Pond Creek-Hunter, Commerce, Crutch, Olustee-Eldorado and Okmulgee School Districts; and Oklahoma Department of Corrections.

Board member Price moved to approve the late federal claim payments. Mr. Ross seconded the motion. The motion carried with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, yes; and Superintendent Hofmeister, yes.

LEGAL SERVICES

Emergency Rules Adoption Approved

Lori Murphy, Assistant General Counsel, Legal Services, presented a request to adopt the following rule amendments:

- (1) Title 210. State Department of Education
Chapter 20. Staff
Subchapter 9. Professional Standards: Teacher Education and Certification
Part 9: Teacher Certification
210:20-9-91 Application for new certificates
[AMENDED]

Board member Price moved to approve adoption of the emergency rule. Board member Ross seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister recessed the meeting at 11:08 a.m. and resumed at 11:28 a.m.

STATE BOARD OF EDUCATION OFFICE

**Appeal for charter school sponsorship submitted by
Sovereign Community Charter School - Approved**

William “Bill” Hickman, attorney representing Sovereign Community Charter School; and Laura Holmes, attorney with the Center for Ed Law representing Oklahoma City Public Schools, presented Sovereign Community Charter School amended application submission, denials, response and reconsideration; appeal arguments and exhibits.

Board members asked questions and discussed prospective school local/boundaries, financial analysis and feedback; effects of indigenous identity enrollments, ethnic studies curriculum inclusion, and engagement through culture;

graduation/dropout rates/comparisons; security assurances; and school mission statement; educational opportunities, community involvement and enrollment marketing.

Board member Ross motioned to approve the appeal for charter school sponsorship. Board member Price seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, nay; General Baxter, yes; and Superintendent Hofmeister, nay.

**Resolve into Executive Session
pursuant to 25 O. S. § 307 (B) (4) to discuss pending litigation,
*Oklahoma Public Charter School Association v.
Oklahoma State Board of Education,*
in the District Court of Oklahoma County, CV-2017-1330**

**Resolve into Executive Session
pursuant to 25 O. S. § 307 (B) (4) to discuss pending litigation,
*Midwest City-Del City Independent School District #52, et al.,
and Western Heights Independent School District #I-1 v.
Oklahoma State Department of Education, Joy Hofmeister,
State Superintendent of Public Instruction; and Oklahoma
State Board of Education, in the District Court of Oklahoma County,*
CV-2016-1965 and CJ-2016-4826**

Board member Flanagan moved to convene into Executive Session at 1:02 p.m. Board member Ross seconded the motion.

(Mr. Price stepped out at 1:02 p.m. and returned during the Executive Session)

The motions to convene into the Executive Session carried at 1:12 p.m. with the following votes: General Baxter, yes; Ms. Franks, yes; Mr. Flanagan, yes; Mr. Ross, yes; Mr. Keating, yes; Mr. Price, absent; and Superintendent Hofmeister, yes.

Brad Clark, General Counsel and Lori Murphy, Assistant General Counsel remained in the Executive Session. Mithun Mansinghani, Oklahoma Solicitor General, was requested into the Executive Session.

Return to Open Session

Board member Price moved to return to Open Session at 1:55 p.m. Board member Flanagan seconded the motion. The motion carried with the following votes: Mr. Price, yes; Mr. Keating, yes; Mr. Ross, yes; Mr. Flanagan, yes; Ms. Franks, yes; General Baxter, yes; and Superintendent Hofmeister, yes.

Superintendent Hofmeister said no decisions were made on the matters discussed in the Executive Session.

No action was taken on any other matter(s) discussed in Executive Session.

ADJOURNMENT

Board member Price moved to adjourn the meeting at 1:56 p.m. Board member Ross seconded the motion. Board members unanimously agreed.

The next regular meeting of the State Board of Education will be held on Thursday, September, 27 2018, at 9:30 a.m. The meeting will convene at the State Department of Education-State Board Room, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma.

Joy Hofmeister, Chairperson of the Board

Terrie Cheadle, Chief Executive Secretary